

### **AMENDMENTS TO THE DRAWINGS**

#### ***In the Drawings:***

Please replace drawing sheets 1-2 (showing Figs. 1-4) with the newly-submitted Figures 1-5 attached herewith on separate sheets. The drawings introduce no new matter into the application and now comport with the claims.

## REMARKS

This is a full and timely response to the final Office Action mailed June 1, 2007.

Initially, Applicants wish to thank the Examiner for the thorough review of the application and for the indication that claims 10-14 are allowable if amended to include the independent base claim 9. While this amendment has not been done, it is believed that the remarks hereinbelow will demonstrate that all of the claims are allowable as written (amended).

Claims 1-9 have been rejected under U.S.C. 103(a) as being unpatentable over GB 2061760 in view of Newman. The Office Action states that "there is disclosed in the Great Britain reference an appliance for cooking food under pressure, the appliance comprising: a bowl 1 and lid 7; a pressure regulating valve 3; a steam outlet 4; a temperature sensor 5 in the vicinity of the outlet." The Office Action continues "Newman teaches the use of a temperature sensor 34 a in the vicinity of a steam outlet 16, the sensor being functionally connected to a timer 44 which is actuated when a desired steam temperature is met."

The Examiner opines that it would have been obvious to one skilled in the art to provide the Great Britain reference with the timer and temperature sensor arrangement taught in Newman, in order to dictate a processing time of the appliance based upon the temperature of the steam. The Examiner further states that in regards to the removable nature of the timer, as recited in claim 3, it is apparent that the timer of Newman, as it is a part of a microprocessor, is

removable from what ever it is mounted to, and that in regards to claim 4, there has to be some form of electrical connection between the prior art timer and the temperature sensor in order for the timer to operate.

This rejection is respectfully traversed. The Applicant disagrees with the conclusion of the Office with regard to claims 1-9, but it is believed that a brief discussion of the invention and it's context may be in order to appreciate the contribution made to the state of the art. As presented in the Application, the Applicant teaches the design of an appropriate arrangement in a pressure cooker to automatically and reliably detect when the cooking cycle has started, so that cooking time can be automatically triggered (page 7, lines 5-31). In order to accomplish this, a temperature sensor 10 is disposed at the vicinity of a steam outlet 7 connected through a passage with the valve 3 of the pressure cooker. With the temperature sensor 10 being connected functionally to a timer 11, the timer can be triggered automatically once the increase in temperature has been sensed (page 7, lines 25-28). The counting down of the cooking time is then triggered automatically, in a reliable manner, without having to make use of complicated technical means, because the elements of the arrangement are disposed outside the pressure cooker. This must be understood in the context of the pressure cooker field. Once the pressure has been raised, it is not possible to access the interior of the cooker. However, until this invention, it was not possible to discern when the cooking process has started. The present disclosure supplies this missing information. Hence, despite its simplicity, the

device is able to give a reliable indicator about exactly when cooking of food is starting without any action of the user.

A close review of the two prior art references cited for the combination claimed in the instant application shows that neither discloses the basic idea of the invention, that is to provide a pressure cooker with appropriate technical means in order to trigger automatically the timer of the pressure cooker when the operating pressure is reached. Thus, the rejection using these two references is respectfully traversed.

The British reference, GB'760 does not disclose a temperature sensor, but rather a device that is both sensitive to temperature and at the same time is a switching device, namely a bimetallic switch. The purpose of this patent is "to avoid excessive escape of vapor and consequent rapid evaporation of the content" (page 1, lines 16-18). In order to achieve this goal, the pressure cooker is provided with the bimetallic switch 5 secured to the proximity of a passage in which vapor is released from a valve "for controlling the electric element" of the pressure cooker (page 1, lines 34-35). This arrangement causes "the electric supply to the heating element to be cut off" (page 1, lines 50-52).

Consequently, the object of GB'760 is vastly different from the object of the present invention because GB'760 is not concerned at all with the idea of finding appropriate technical means to detect automatically when cooking of the food is starting in a pressure cooker. GB'760 is only concerned with the idea to control electric supply of the heating means, and accordingly, technical means are provided to achieve this goal. GB'760 also does not disclose technical

means likely to conduct the skilled artisan toward the invention. In fact, GB'760 does not disclose that the bimetallic switch could be connected to a timer to automatically initiate counting down the cooking time of the food. In short, GB'760 is not concerned with the idea underlying the present invention, and does not disclose the arrangement that could and would have led to the invention. Compared to the pressure cooker field of today, the cooker disclosed in GB'760 in 1979 is a relatively simple device designed only to maintain a certain desired pressure and temperature by controlling the heat input. It has nothing to do with detecting when cooking has begun or with the timing thereof, nor does it even contemplate that such a feature would be desirable.

The patent to Newman is also not relevant to the present disclosure because it does not relate to the field of the invention and it does not disclose a timer that is incorporated in an arrangement where it is triggered once an increase in temperature is sensed. As indicated throughout the Newman patent, for instance column 1, lines 12 –16, Newman relates to an apparatus for the steam sterilization of articles, more particularly for the sterilization of dental or surgical instruments. Initially, this kind of steam apparatus is not the type of device a skilled artisan, having in mind to design a pressure cooker, would consider in view of the problem to be solved. Consequently, the Applicant is of the opinion that Newman would not be considered and is, nevertheless, not a promising start in view of the problem to be solved, which relates to detect when the cooking time of food has started in a pressure cooker. It is submitted that no one of ordinary skill in the art would contest that steam apparatus designed to

sterilize dental or surgical instruments are not the most relevant apparatus to be considered in the present case.

Secondly, Newman does not disclose, teach, or even suggest that “the timer clock 44” is actuated when a desired temperature is reached. What is disclosed is “The microcontroller 38 is responsive to the temperature sensor 34a ... and to the dryness sensor 34b...” (column 8, lines 1-5). It is then stated that “output signals from the microcontroller are directed to interfaces 58, 60 and 62 to control the operation of dosing pump 26, heating elements 20a...”. It is then further stated that “Information as to the status of the running of the sterilization process, such as the time remaining on a clock cycle, is displayed on terminal 63”. There is no indication at all that the timer clock would be triggered once the increase in temperature is sensed by temperature sensor 34a. This simply means that the microcontroller receives some sort of signals from the temperature sensor 34a together with signals from dryness sensor 34b and that those signals are used to control the cycle of steam sterilization. Newman, in fact, teaches only a temperature maintenance device used to sterilize medical and dental instruments pursuant to some set schedule depending on the composition of the particular instruments being sterilized. Newman does not objectively tell more than this.

In particular, even if Newman says that there is a display of the time remaining of the sterilization process, there is no indication or way to tell when the counting down has started, or on which specific parameter it was based. It appears that, according to Fig. 3 and col. 6, lines 22-27 that  $t_0$  is the beginning of

the process cycle and that this time reference is most probably the starting reference referred to in Newman to establish the display of the time remaining with regard to a standard period of sterilization. This time reference does not correspond to the time reference of the Applicant's disclosure. In fact, it is most plausible that in Newman the starting of the process is simply made manually by pressing an on/off button after having set the duration of the process so that  $t_0$  is then set. In short, there is no disclosure, or any teaching in Newman that could and would lead the skilled artisan to incorporate a timer in a pressure cooker and have it triggered once an increase in temperature is sensed. It is therefore, the Applicant's view that the combination of GB'760 and Newman will a) not be considered by one of ordinary skill in the art and b) if it were considered (which is doubted) it would not lead to the present invention.

Even assuming, *arguendo*, that the two references, GB'760 and Newman, could be combined, at most it would produce a device that could maintain a set temperature for a set time. It would not produce a device that begins a timer responsive to reaching the desired operating pressure so that the user would know when cooking has begun, as now recited by the amended claims.

With the amendment to claims 1 and 9, it is believed that dependent claims 10-14, are now in condition for allowance. Favorable reconsideration in this regard is also respectfully requested.

The additional prior art made of record has been carefully reviewed but it is believed and submitted that they do not either anticipate or make obvious the present claims, either alone or in combination with any other cited art.

### **CONCLUSION**

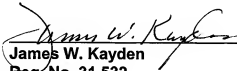
In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested.

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Further, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known for at least the specific and particular reason that the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.



If, in the opinion of the Examiner, a telephone conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

  
James W. Kayden  
Reg. No. 31,532

**THOMAS, KAYDEN,  
HORSTEMEYER & RISLEY, L.L.P.**  
Suite 1500  
600 Galleria Parkway N.W.  
Atlanta, Georgia 30339  
(770) 933-9500